

## UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

SA v. Florentino Ruidiaz, Jr.

No. 05-10214-MLW

District of Massachusetts

Appeal filed 6/5/07

Court of Appeals Case No. \_\_\_\_\_

Filed on behalf of Florentino Ruidiaz, Jr.

## TRANSCRIPT REPORT

Transcript Not Necessary for this Appeal \_\_\_\_\_

Transcript Already Filed in District Court. List each transcript by docket entry number and date and type of proceeding (attach separate page if necessary) \_\_\_\_\_

## TRANSCRIPT ORDER

Name of Court Reporter Richard Romanow

Phone Number of Reporter (617) 737-0570

A. \_\_\_\_\_ This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate dates of hearing(s)]:

PROCEEDING(S)	HEARING DATE(S)
<input type="checkbox"/> Jury Voir Dire	_____
<input type="checkbox"/> Opening Statement (plaintiff)	_____
<input type="checkbox"/> Opening Statement (defendant)	_____
<input type="checkbox"/> Trial	_____
<input type="checkbox"/> Closing Argument (plaintiff)	_____
<input type="checkbox"/> Closing Argument (defendant)	_____
<input type="checkbox"/> Findings of Fact/Conclusions of Law	_____
<input type="checkbox"/> Jury Instructions	_____
<input type="checkbox"/> Change of Plea	_____
<input checked="" type="checkbox"/> Sentencing	May 21, 2007
<input type="checkbox"/> Bail hearing	_____
<input type="checkbox"/> Pretrial proceedings (specify) _____	_____
<input type="checkbox"/> Testimony (specify) _____	_____
<input type="checkbox"/> Other (specify) _____	_____

NOTE: Any form that fails to specify in adequate detail those proceedings to be transcribed will be considered deficient.

B. \_\_\_\_\_ I certify that I have contacted the court reporter and the following financial arrangements for payment of the transcript have been made:

- Private funds.
- ☐ Government expense (civil case). IFP status has been granted and a motion for transcript at government expense has been allowed. (Attach a copy of the order to each copy of this order form.)
- ☐ Criminal Justice Act. A CJA Form 24 has been approved by the district court judge.
- ☒ Criminal Justice Act. A CJA Form 24 is attached for authorization by the court of appeals.
- ☐ Federal Public Defender/Government Counsel - no CJA Form 24 necessary.

Filer's name Robert S. Sinheimer

Filer's Signature \_\_\_\_\_

Firm/Address 4 Longfellow Place, 35th Floor, Boston, MA 02114

Telephone number (617) 227-2800

Date mailed to court reporter 6/22/07

(Court Reporter Use ONLY) Date received \_\_\_\_\_

## CJA 24 AUTHORIZATION AND VOUCHER FOR PAYMENT OF TRANSCRIPT (5-99)

1. CIR./DIST./ DIV. CODE		2. PERSON REPRESENTED <u>Florentino Ruidiaz, Jr.</u>		VOUCHER NUMBER			
3. MAG. DKT./DEF. NUMBER		4. DIST. DKT./DEF. NUMBER <u>05-10214</u>		5. APPEALS DKT./DEF. NUMBER <u>01-1988</u>		6. OTHER DKT. NUMBER	
7. IN CASE/MATTER OF (Case Name) <u>USA v. Florentino Ruidiaz, Jr.</u>		8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input checked="" type="checkbox"/> Appeal		9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other:		10. REPRESENTATION TYPE (See Instructions)	
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense. <u>18:922(g)(1) - Felon in Possession of Firearm and Ammunition</u>							
12. PROCEEDING IN WHICH TRANSCRIPT IS TO BE USED (Describe briefly) <u>Appeal of the judgment of conviction and sentence dated May 21, 2007, and is specifically intended to include, but not limited to the Court's order of November 21, 2006, denying the defendants' motion to suppress evidence.</u>							
13. PROCEEDING TO BE TRANSCRIBED (Describe specifically). NOTE: The trial transcripts are not to include prosecution opening statement, defense opening statement, prosecution argument, defense argument, prosecution rebuttal, voir dire or jury instructions, unless specifically authorized by the Court (see Item 14). <u>Sentencing dated May 21, 2007.</u>							
14. SPECIAL AUTHORIZATIONS							JUDGE'S INITIALS
A. Apportioned Cost _____ % of transcript with (Give case name and defendant)							
B. <input type="checkbox"/> Expedited <input type="checkbox"/> Daily <input type="checkbox"/> Hourly Transcript <input type="checkbox"/> Realtime Unedited Transcript							
C. <input type="checkbox"/> Prosecution Opening Statement <input type="checkbox"/> Prosecution Argument <input type="checkbox"/> Prosecution Rebuttal <input type="checkbox"/> Defense Opening Statement <input type="checkbox"/> Defense Argument <input type="checkbox"/> Voir Dire <input type="checkbox"/> Jury Instructions							
D. In this multi-defendant case, commercial duplication of transcripts will impede the delivery of accelerated transcript services to persons proceeding under the Criminal Justice Act.							
15. ATTORNEY'S STATEMENT As the attorney for the person represented who is named above, I hereby affirm that the transcript requested is necessary for adequate representation. I, therefore, request authorization to obtain the transcript services at the expense of the United States pursuant to the Criminal Justice Act.  <u>[Signature]</u> <u>7/5/07</u> Signature of Attorney    Date <u>Robert S. Sinsheimer</u> Printed Name Telephone Number: <u>(617) 722-9954</u> <input type="checkbox"/> Panel Attorney <input type="checkbox"/> Retained Attorney <input type="checkbox"/> Pro-Se <input type="checkbox"/> Legal Organization				16. COURT ORDER Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 15 is hereby granted.  _____ Signature of Presiding Judicial Officer or By Order of the Court  _____    _____ Date of Order    Nunc Pro Tunc Date			
17. COURT REPORTER/TRANSCRIBER STATUS <input type="checkbox"/> Official <input type="checkbox"/> Contract <input type="checkbox"/> Transcriber <input type="checkbox"/> Other				18. PAYEE'S NAME (First Name, M.I., Last Name, including any suffix), AND MAILING ADDRESS			
19. SOCIAL SECURITY NUMBER OR EMPLOYER ID NUMBER OF PAYEE				Telephone Number: _____			
20. TRANSCRIPT	INCLUDE PAGE NUMBERS	NO. OF PAGES	RATE PER PAGE	SUB-TOTAL	LESS AMOUNT APPORTIONED	TOTAL	
Original							
Copy							
Expenses (Itemize)							
<b>TOTAL AMOUNT CLAIMED :</b>							
21. CLAIMANT'S CERTIFICATION OF SERVICE PROVIDED I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment (compensation or anything of value) from any other source for these services.  Signature of Claimant/Payee _____ Date _____							
22. CERTIFICATION OF ATTORNEY OR CLERK I hereby certify that the services were rendered and that the transcript was received.  _____ Signature of Attorney or Clerk    Date							
23. APPROVED FOR PAYMENT  _____ Signature of Judicial Officer or Clerk of Court    Date							24. AMOUNT APPROVED

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

FLORENTINO RUIDIAZ

Criminal No. 05-10214 (MLW)

NOTICE OF APPEAL

The defendant hereby notifies the court and parties that he intends to, and does lodge an appeal of the judgment of conviction and sentence dated May 21, 2007. This notice of appeal is intended to be construed as broadly as the law and agreements of the parties will allow, and is specifically intended to include, but not be limited to the Court's order of November 21, 2006, denying the defendants' motion to suppress evidence.

Respectfully submitted:  
FLORENTINO RUIDIAZ  
By his attorney

*/s/ Robert S. Sinsheimer*

---

Robert S. Sinsheimer, 464940  
Denner Pellegrino, LLP  
Four Longfellow Place, 35<sup>th</sup> Floor  
Boston, MA 02114  
Tel. 617-227-2800

Dated: June 5, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document filed through the ECF systems will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on June 5, 2007.

*/s/ Robert S. Sinsheimer*

---

Robert S. Sinsheimer